3: Skrine G-3 (1922-1924) 1926 All Sinkiang All

run away back to their parents, whereas they will actually spend several hundred tengas on *toiluk* (trousseau) for the privilege of marrying a good-looking *jawan*. In the snatches of love-songs given below it will be noticed that the poet's "mistress" is often called *jawan*, never *chokan* or *qiz* (girl). The popular standpoint is expressed in the following old rhyme:

Jān qadrini kīm bilsun?	Who is it who knows what health is worth?
Aghriq bilma'e sāq na bilsun.	Not the healthy man who has never been ill.
Er qadrini kīm bilsun?	What woman is it that knows worth in a man?
Jawān bilma'e qiz na bilsun.	Not the girl who has never been a *jawan*.

To marry one's daughter to an infidel—a Chinaman or a Hindu—is regarded as no less disgraceful than to put her on the streets, and only the poorest do it. It is significant that the word used for a lady of easy virtue—*jallāb*—is also applied to Turki wives of Chinese (other than Chinese Mussulmans) and Hindus. They are excommunicated by the priests and ostracized by their class. There are compensations, however. Chinamen and Hindus are much better husbands than Turkis, and the wives of "infidels" usually amass wealth. The wife of a Hindu is in a particularly strong position. Her husband has no legal rights over her; if she runs away, the mullas will not lift a finger for him, and he must "shell out" again if he wants another wife. She can thus hold over him the threat of returning to her family, and tap his money-bags with confidence for herself and her relations. When he dies, she usually gets away with some or all of his property; two or three cases were brought before me in which this had happened. But it is interesting to note that Islam usually triumphs at the last; an infidel's wife will often use her wealth to purchase an "indulgence" on her death-bed and the right to a Mussulman burial. When she feels her end approaching, she will leave her home and settle in another town, where she is received back into the fold by the Imam and the *uttuz-oghlc*. She gives liberal donations to shrines and dedicates some or all of her land as *waqf* (religious trust) to the Church. The Qazi prescribes certain prayers and observances for the donor, who then dies in peace and is buried with full Mussulman rites. There is one serious drawback, however, to marrying a Hindu trader; and that is the fact that if and when he

563 "chief-elder". The charismatic character of such an elder is of
622 prime importance. His wealth, his public influence, his reputa-
[554] tion, his military ability and his moral integrity form the basis of his social status.

692 Internal order is maintained by unwritten common law. Judges
563 act by custom and conscience alone. When a cause of action arises,
671 the litigants, in lieu of blood-vengeance, agree to refer the matter to a court of their own choosing and to abive by its decision. Either both sides agree on one or two bäks to settle the case, or each selects a bäk, and a third man is chosen as arbiter. Civil and
[674] criminal law are not distinguished. Crimes are really torts, and
[681] can be settled out of court by compromise. Hence, the criminal is not punished; he simply pays damages, which represent a sort of compounding of the earlier lex talionis. Custom prescribes a
681 graded schedule of damages, ranging from a wergild (kun) of 100
563 horses, 1000 sheep, or 50 camels for homicide, through lesser payments in cattle for adultery, fraud, and serious personal injuries or assault, to a horse and a robe or skin for slander, breaking a finger or tooth, and minor assaults. The full wergild must be paid for killing a man, one-half for a woman or slave, and one-third for a child under ten. The circumstances and intent are not considered. However, a man pays no penalty for killing his child, slave or adulterous wife. For cattle theft, a man must restore the stolen animals and, in addition, pay twice their number as damages. For rape of an unbetrothed girl he must marry the girl, give her father the usual bride-price, and pay him a fine of nine head of cattle.

563 Usually before a boy reaches the age of ten, his father seeks
584 a wife for him. Neither the boy nor the girl has much voice in
[614] the transaction. Since the nomadic Turks practice strict clan exogamy the boy's father must select a girl of suitable qualifications from another clan. He then sends matchmakers to her
563 father to arrange the bride-price "kalym". Except where a
583 brother and sister are married by exchange to a sister and
584 brother, marriage is always by purchase. The bride-price, payable in horses, cattle, sheep and camels, varies with the means of the groom and the desirability of the bride, forty animals representing perhaps an average kalym. In return, the bride takes with her from her father's home a dowry, much inferior in value, consisting usually of a yurt, a riding horse or other animals, a chest of clothing, rugs, beddings, and other house-
[582] hold articles. Marriage is deferred until the children attain
[884] their majority.